

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TERRENCE LAMAR WILBURN,  
Petitioner,  
v.  
KATHLEEN ALISON,  
Respondent.

No. 2:22-cv-01947-DJC-JDP (HC)

ORDER

Petitioner has requested the appointment of counsel.<sup>1</sup> There currently exists no absolute right to appointment of counsel in habeas proceedings. *See Nevius v. Sumner*, 105 F.3d 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case “if the interests of justice so require.” *See* Rule 8(c), Fed. R. Governing § 2254 Cases. The court does not find that the interests of justice would be served by the appointment of counsel since the court has dismissed this matter.

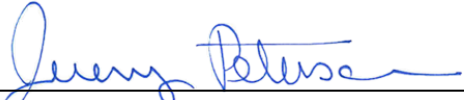
Accordingly, it is hereby ORDERED that petitioner’s September 1, 2023 request for appointment of counsel, ECF No. 34, is denied without prejudice.

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<sup>1</sup> Petitioner moved for the appointment of counsel on September 1, 2023, ECF No. 34, however, that motion was not entered onto the docket until after Judge Calabretta issued an order dismissing this action on September 6, 2023, ECF No. 32.

1  
2 IT IS SO ORDERED.

3  
4 Dated: September 11, 2023

  
JEREMY D. PETERSON  
UNITED STATES MAGISTRATE JUDGE